ELECTRONICALLY FILED - 2021 Oct 06 2:01 PM - CHARLESTON - COMMON PLEAS - CASE#2021CP1004619

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON Emily Lide Ward and Latane Gooding, Plaintiffs, v. Chris Griffin, individually, and in his Official Capacity as Police Chief, and the Town of Sullivan's Island, Defendants.	IN THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT CIVIL ACTION NO.: 2021-CP-10 **SUMMONS** **(Jury Trial Demanded)**

TO: DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED AND REQUIRED to answer the Amended Complaint in this action. A copy of the Amended Complaint is attached to this Amended Summons and is herewith served upon you. Your answer must be in writing and signed by you or by your attorney and must state your address or the address of your attorney if signed by your attorney. Your answer must be served upon the undersigned attorneys for the Plaintiff within thirty (30) days after the service hereof, exclusive of the day of service, at Hopkins Law Firm, LLC, 171 Church Street, Suite 160, Charleston, South Carolina 29401.

YOU ARE HEREBY GIVEN NOTICE FURTHER that, if you fail to appear and defend and fail to answer the Amended Complaint as required by this Amended Summons within thirty (30) days after the service hereof, judgment by default will be rendered against you for the relief demanded in the Complaint.

HOPKINS LAW FIRM, LLC

s/ J. Clay Hopkins
J. Clay Hopkins (SC Bar #102053)
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171 Church Street, Suite 160
Charleston, SC 29401
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Attorneys for the Plaintiff

Charleston, South Carolina
October 6, 2021

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STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON Emily Lide Ward and Latane Gooding, Plaintiffs, v. Chris Griffin, individually, and in his Official Capacity as Police Chief, and the Town of Sullivan's Island, Defendants.	IN THE COURT OF COMMON PLEAS FOR THE NINTH JUDICIAL CIRCUIT CIVIL ACTION NO.: 2021-CP-10 **COMPLAINT** **(Jury Trial Demanded)**

Emily Lide Ward and Latane Gooding (hereinafter collectively referred to as "Plaintiffs"), complaining of Chris Griffin, individually, and in his Official Capacity as Police Chief, and the Town of Sullivan's Island ("Defendants"), would allege as follows, upon information and belief:

PARTIES & JURISDICTION

1. Plaintiffs are citizens and residents of Richland County, South Carolina.

2. Defendant Town of Sullivan's Island is a municipality and political subdivision of the State of South Carolina.

3. Defendant Chris Griffin, is, upon information and belief, a citizen and resident of Charleston County, South Carolina, and, at all times relevant herein, was acting within the course and scope of his employment as Police Chief for Defendant Town of Sullivan's Island.

4. The Court has jurisdiction over the parties and subject matter herein and venue is proper in Charleston County, South Carolina.

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FACTS

5. On November 10, 2019, Plaintiffs were working at the South Carolina Police Chiefs Association Annual Leadership Conference at the Marriott Resort at Grande Dunes in Myrtle Beach, South Carolina.

6. That afternoon, Plaintiffs were working during the vendor exposition, where Defendant Griffin approached them.

7. Plaintiffs were looking at pictures online when Defendant Griffin approached them and asked to see what they were looking at. After seeing what Plaintiffs were laughing at, Defendant Griffin asked Plaintiff Gooding to send the image to him via text message, asking Plaintiffs if they "liked that stuff" and indicating that he could send them more images.

8. Defendant Griffin asked both Plaintiffs for their phone numbers, but Plaintiff Gooding instead put Defendant Griffin's number into her phone and sent him the image in a group message with Plaintiff Ward. Defendant Griffin immediately asked Plaintiffs to identify themselves in the group message.

9. Thereafter, Defendant Griffin sent almost 20 unanswered and unprompted messages, which are attached hereto as **Exhibit A**. After Defendant Griffin sent his last message, he said, "Like any of those lol[?]"

10. All of the images Defendant Griffin sent Plaintiffs were sexually explicit, racist, demeaning, and inappropriate.

11. Thereafter, Plaintiffs reported the concerning messages to the Executive Director of the Police Chiefs Association and informed him how uncomfortable they felt by Defendant Griffin's conduct.

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12. The next day, on November 20, 2019, the Executive Director of the Police Chiefs Association and the Mount Pleasant Police Chief, Carl Ritchie, drove to speak with Defendant Town's Administrator, Andy Benke, and personally provided the same messages and reported Defendant Griffin's conduct.

13. Thereafter, on November 11, 2019, the Police Chiefs Association terminated Defendant Griffin's membership.

14. However, Defendant Town did not open an investigation until Plaintiffs filed formal complaints against Defendant Griffin, wherein they again provided the text messages and images to Defendant Town.

15. Defendant Town subsequently "investigated" Plaintiffs' complaints, but, upon information and belief, took no remedial or disciplinary action against Defendant Griffin whatsoever.

FOR A FIRST CAUSE OF ACTION
(Negligent Hiring, Supervision, Training, Retention)

16. The foregoing allegations are incorporated herein as if set forth verbatim.

17. Defendant Town had a duty to use ordinary care to protect individuals and citizens like Plaintiffs from harassing, abusive, and intimidating conduct and injury from its employees.

18. For that reason, Defendant Town had a duty to exercise reasonable care in the hiring, supervision, training, and retention of its employees and supervisors.

19. Defendant was aware, or should have been aware, through Plaintiffs' complaints, news publicity, and investigation of Defendant Griffin's actions, that Defendant Griffin was in the habit of misconducting himself in a manner dangerous, abusive, and intimidating to others sufficient to put Defendant Town on notice of the

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potential danger to Plaintiffs and other individuals.

20. Despite Defendant Town's knowledge of Defendant Griffin's propensity for misconduct towards Plaintiffs and others, Defendant Town failed to remediate or reasonably address Defendant Griffin's misconduct in any way.

21. Defendant Town breached its duty to Plaintiffs by negligently hiring, failing to train and supervise, and retaining their employees, agents, and/or assigns in order to prevent said improper conduct.

22. As a result of the Defendant Town's negligence, Plaintiffs suffered humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

FOR A SECOND CAUSE OF ACTION
(Invasion of Privacy)

23. The foregoing allegations are incorporated herein as if set forth verbatim.

24. South Carolina state law recognizes the Plaintiffs' right to be left alone and to be free from invasions of privacy in such a manner as to outrage or cause serious mental suffering, shame, and humiliation. *See Swinton Creek Nursery v. Edisto Farm Credit*, 334 S.C. 469, 477 (1999).

25. Defendants intruded upon the Plaintiff's right to privacy by continually harassing Plaintiffs with sexually explicit, racist, demeaning, and inappropriate text messages.

26. The text messages made by Defendant Griffin to Plaintiffs were so persistent and repeated with such frequency that they were outrageous, caused Plaintiff serious mental suffering and invaded Plaintiffs' privacy.

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27. The conduct of Defendants in engaging in the systematic campaign of harassment by repeatedly messaging the Plaintiffs demonstrates Defendants' blatant and shocking disregard for Plaintiffs' rights and resulted in multiple invasions of privacy in such a way as would be considered highly offensive to a reasonable person.

28. As a result of the intrusions and invasions into Plaintiffs' privacy, Plaintiffs are entitled judgment against Defendants, jointly and severally, in an amount sufficient to compensate them for all damages sustained as a direct and proximate result of their conduct, including reasonable attorney's fees and costs.

FOR A THIRD CAUSE OF ACTION
(Intentional Infliction of Emotional Distress/Outrage)

29. The foregoing allegations are incorporated herein as if set forth verbatim.

30. The conduct described above is so outrageous that it should not be tolerated in a civilized society.

31. Defendant Griffin's conduct was intentionally outrageous and intended to cause and did cause Plaintiffs great emotional distress.

32. That as a direct and proximate result of Defendant Griffin's conduct, Plaintiffs suffered humiliation, loss of sleep, anxiety, nervousness, physical sickness, physical and mental suffering, pain, and anguish.

33. Plaintiffs are informed and believe that as a result of the emotional distress inflicted upon them by Defendant Griffin's outrageous conduct that they are entitled to judgment against Defendants, jointly and severally, in an amount sufficient to compensate them for all damages sustained as a direct and proximate result of their conduct, including reasonable attorney's fees and costs.

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PRAYER FOR RELIEF

WHEREFORE, having fully set forth their Complaint, Plaintiffs would respectfully request judgment against Defendants, jointly and severally, for actual, compensatory, and punitive damages, costs, attorney's fees, pre-judgment interest, and other damages as the evidence produced in discovery and at trial may show, as well as any other relief the Court may deem just and equitable.

Plaintiffs hereby demand a trial by jury.

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